

## NEW BLOW FOR MEDIATION IN LOBOS SEIZURE

Huerta Has Document Proving Island Was Taken by Force.

CERTIFICATE SIGNED BY U. S. NAVY OFFICER

Dictator Insists Act Is Violation of Terms of Armistice.

MISUNDERSTANDING, SAYS SECRETARY BRYAN

Rebels' Final Assault on Tampico Is Expected To-day.

Hope for a successful outcome of the mediation proceedings received another setback yesterday when it was learned that Huerta has in his possession a document signed by the commander of the United States destroyer Fanning certifying that Lobos Island was seized by force.

State Department officials have repeatedly asserted that the island was not seized and that the United States forces were merely operating the light which had been abandoned by its Mexican keepers.

Gen. Huerta has already notified the mediators that he considers the seizure of the island a violation of the armistice.

A final assault on Tampico is expected to-day. The rebels are closing in on the city. Only twenty Americans are left in the danger zone, all efforts to induce them to leave having failed.

Huerta officials insist that United States Consul Silliman has been released from prison, but the American authorities at Vera Cruz are without news from the missing man.

HUERTA HAS PROOF OF SEIZURE

Document Is Signed by Commander of United States Destroyer.

WASHINGTON, May 12.—The Mexican situation was in a worse muddle to-day than at any other time since the mediation proceedings began. The new developments came chiefly through the disclosure that Huerta has in his possession a paper signed by the commanding officer of the United States destroyer Fanning certifying that the light on Lobos Island, off the Gulf coast of Mexico, was taken by force by the United States.

This remarkable development, following Huerta's protest to the mediators that the seizure of Lobos Island constituted a violation of the armistice, was a shock to the State Department. Secretary Bryan has denied that there was any seizure of the island and has contended that the United States had merely maintained the light after it had been deserted by the Mexican keepers.

Mr. Bryan was explaining to the mediators tonight that this extraordinary certificate merely represented an act of courtesy and that it was in no way to be construed as an acknowledgment that the naval forces had seized the island. It meant merely that the commanding officer of the Fanning had insisted that the machinery necessary for operating the light be left behind by the keeper.

Huerta, with his present disposition to push charges of bad faith against the United States, is certain to make the most of this incident. While morally the United States was justified in taking possession of the light authorities here doubt whether technically they had the right to do so.

On top of this controversy has come another note from Huerta's Government to the mediators adding to the perplexity of the United States. Huerta has called attention to the fact that five of the snipers at Vera Cruz who have been arrested and are about to be put on trial for their lives are not Mexican subjects, but citizens of South American countries. Unfortunately three of these men are Chileans and one of them may be a Brazilian. These are two of the countries now engaged in promoting the mediation programme.

The fifth sniper is a Peruvian. All five were taken from a Norwegian vessel in the harbor.

It is not plain yet what Huerta's purpose is in raising the question of the nationality of these men through the mediation, but the matter is regarded in Washington as sufficiently serious to warrant the suspension of any further proceedings against them until diplomatic exchanges have been concluded.

This incident alone will emphasize the fact already recognized here that the invasion of Mexico aroused keen resentment not only in that republic

## WILSON MAY AID CARRANZA.

Washington Officials Expect Action After Huerta's Downfall.

WASHINGTON, May 12.—Information obtained here to-night indicates that the United States officials are already looking forward to a plan of action on the part of this Government when Huerta falls and Carranza with the Constitutional forces is in control at Mexico City.

There is good reason to believe that President Wilson intends to do everything possible when the Constitutionalists have once gained Mexico City to assist them in the pacification of the entire republic. Persons familiar with the President's views expect to see him propose the joint policing of Mexico by United States and Constitutional forces if he receives any encouragement from Carranza.

The fear expressed here is that Carranza with his pronounced views against an American invasion of Mexico will be inclined to resent any suggestion of this character. It is certain, though, that President Wilson, if the Constitutionalists are successful, will not be satisfied with any solution of the difficulty that fails to establish law and order throughout the republic and falls short of relieving the United States of the harassing conditions that have existed for the last two or three years.

It is understood that this Government is particularly desirous of extending the mediation proceedings until the Constitutionalists have gained the ascendancy in Mexico City. The President will then have an avenue through which he might readily approach Carranza with suggestions as to the cooperation of the United States in pacifying the entire republic.

## \$100,000 FOR STATE TROOPS.

Assembly Passes Bill for War Loan at Glynn's Request.

ALBANY, May 12.—The Assembly, under an emergency message from Gov. Glynn, passed to-night the bill appropriating \$100,000 for a war loan, to be used in preparing the New York National Guard for war should the necessity arise.

Under the provisions of the bill the Governor has power to authorize the expenditure of \$100,000 if war is declared or if in his opinion such an expenditure is deemed advisable in order to mobilize the State troops. The Senate will pass the bill to-morrow.

## CONSUL SILLIMAN FREE, HUERTA OFFICIALS SAY

But U. S. Authorities at Vera Cruz Have No News From Missing Man.

By E. de L. SEVERN.

Special Correspondent of THE SUN.

VERA CRUZ, May 12.—United States Consul William W. Canaan has been notified by the Brazilian Minister at Mexico that the Huerta Government had informed him that United States Consul John H. Silliman had been released from imprisonment at Saltillo. The word came in the morning that Mr. Silliman would be added in getting to Mexico City and from there to Puerto Mexico.

Despite these assurances it has been impossible for any of the American authorities to receive any communication from the Consul to-day. The wires are open north to Saltillo, but no message came over them to settle the doubt.

Secretary of State Bryan has sent a cable despatch to Gen. Funston asking him to discourage all American newspaper correspondents who want to attempt a trip to the interior, Mexico City or anywhere else beyond American lines. Mr. Bryan says their arrests cause the State Department needless embarrassment.

A report that a number of the young men of Mexico City who assisted in dragging the Washington statue through the muddy streets of the capital on Sunday after the occupation are in Vera Cruz on their way abroad caused much excitement here to-day. A number of refugees from the capital began at once a quiet hunt for the men. They remember the young men and the insult and they say they would like to inflict a little of the punishment they suffered at the capital upon the youths.

The steamship Oswald, bringing hundreds of Spanish refugees, is expected to arrive at almost any hour. A report says the Oswald is short of food and the refugees are hungry. Despite this report, the Imperador Carlos V., the Spanish cruiser here, has remained at her anchor, neglecting to go out and meet the ship with an extra supply of provisions.

The most recent arrivals from Mexico City, principally ex-urales and men who can be classed as anti-Huerta, have not much hope that the dictator will be supplanted so long as the capital remains in his hands. They say there is plenty of sentiment against Huerta, but all are so afraid of his summary method of meeting conspirators that none dare take the initiative.

## Huerta Aid Noted Mediators.

MEXICO CITY, May 12.—Acting Foreign Minister Esteva Ruiz telegraphed to-day the following message to the A. B. C. diplomats at Washington:

"Referring to the telegram of your Excellencies in regard to Mr. Silliman, Consul at Saltillo, I have the honor to inform you that notwithstanding the acts of said Consul against Federal forces, it has already been ordered that he be sent to Mexico City under proper guard and placed at the disposition of the Brazilian Minister, in accordance with the desire expressed by him in order to arrange for the return of said Silliman to United States."

The Mexican Foreign Office hopes that your Excellencies may see in this action of the Government a further proof of its fulfilling its international obligations and of its showing to the friendly nations the consideration which they merit."

GREEN STRIKE SCOTCH NOT IN RECONSTRUCTION. ANDREW UMBER & CO. Edinburgh—Ad.

## FINAL FIGHT AT TAMPICO IS ON

Rebels at Outskirts of City After Four Days Battle.

20 AMERICANS REMAIN

All Others Have Sought Refuge Aboard Foreign Warships.

TEN REPORTED KILLED

Federals Must Flee Across Desert if Gulf Port Is Captured.

Firing All Day at Tampico, but No Word of Result

WASHINGTON, May 12.—Pursuant to instructions, Rear Admiral Mayo has begun periodic bulletins regarding the fighting around Tampico. At 11:15 to-night the Navy Department made public the following statement:

"While no definite information as to the progress of the attack on Tampico has yet been obtained, Rear Admiral Mayo reports that heavy artillery and rifle fire has been going on all day and still continued at 9:30 to-night. The German and Dutch cruisers which were in the Panuco River have moved down."

By FRED K. WILSON.

Special Correspondent of THE SUN.

TAMPICO, May 12 (via Galveston, May 12).—After a four day artillery duel which has been almost uninterrupted the Constitutionalists, under Gen. Pablo Gonzalez, have pressed closer on Tampico than they have been before.

Reinforcements came to both sides after the rebel check on Friday, but the attacking force seemed to have the advantage in the matter of big guns. Since yesterday morning their cannon have been sounding clearer to the warships in the outer harbor and their shells are bursting almost regularly in the outskirts of the city itself.

Only meagre reports come out to the ships, and these only from Federal sources, but they tell that the rebel guns have made a breach in the Federal fortifications six miles outside the city limits, running south from the Panuco River.

As a framework to the artillery picture is a long crescent of heavy black smoke on the horizon which, the Federals say, is caused by burning oil tanks and wells set in flames by the rebels. The entire country, they say, has been devastated to the north, west and southwest by the attacking columns and many of the inhabitants have been murdered. It is a war to the end, it is added, and no neutrals are recognized on either side.

From the same unofficial sources comes the report that the ten Americans marooned forty miles to the west of Tampico up the Panuco River have been killed. Admiral Mayo has received this report, but as the launches which went up the river on Tuesday found no trace of the Americans at the place mentioned it is not generally credited.

## Big Battle Expected.

Military observers believe the big battle will take place on Tuesday or Wednesday. If the rebels are not checked in the meantime they will be near enough then to make a general charge. Gen. Ignacio Morales Zaragoza, the Federal commander, announces that he is well prepared and is confident that the enemy will be driven back.

All Mexicans who come out to the ships report that the loss of life has been heavy on both sides. They say that the rebel fire is very accurate and deadly, but each time a breach has been made in the fortifications sand bags have been thrown in hastily and fresh troops have come forward to defend them. Contrary to the Mexican custom, the nightfall does not mean the temporary cessation of hostilities, for all through the dark hours the boom of cannon comes out to the ships.

So far as Admiral Mayo knows only twenty Americans are now in the city of Tampico and these have doggedly refused to leave. Not only the United States but the British, German and French consuls have offered them safe passage to the ships and a haven of refuge with a trip north, but they prefer to remain with their possessions.

There is no doubt that Admiral Mayo and the commanders of the foreign warships will do anything to rescue any foreigners who may be ashore now. Any attempt to get into communication with them by small boats is very hazardous, because the river is strongly mined. However, they are renewing their attempts every day in the name

of humanity, and they will go tomorrow in the hope of inducing the Americans to come out to safety. If the first line of fortification falls and the Federals drop back on the city the damage will be immense and the loss of life heavy.

## Federals' Position Critical.

If the Federals lose at Tampico their situation will be most critical. The advance of the rebels is a semicircle which ends to the east of the National Railway, going south toward the capital. They have cut the line, and this leaves the only avenue of escape almost due south and leads over a desert 100 miles long or more. There is hardly a water hole in that arid, sandy waste and not a blade of grass for forage.

One way out is toward Pachuca, along the railroad line, and the other is toward Tuxpan, which is reported to have capitulated to the rebels. It is out of the question for the Federals to flee to the northwest, toward Saltillo, for that city must fall itself when Tampico, its only source of supply, goes. That journey would mean a fight every inch of the way. San Luis Potosi, to the west, over the mountains, is also out of the question, for the rebel General Torres has been reported between that city and Tampico. The only way out is by water, and there are not enough ships to save many.

The British cruiser Hermione will leave Tampico to-night with 750 Spanish refugees, bound either for Vera Cruz or New Orleans according to the advice received from the United States authorities. The Americans are remaining in the outer harbor. Clarence A. Miller, the United States Consul, is with them. They may be held a few days to await the outcome of the impending attack.

Men from the Dixie continue to operate the light on Lobos Island. Since they stopped the Mexican schooner from Tuxpan which was to take away the lighting apparatus the light has been kept burning every night. Without this light it would be impossible for any ship to wind through the reefs even to the outer harbor. Only men enough to maintain the light are ashore. Occasionally squads of blue-jackets go ashore for surf bathing, but that is all.

## ATTACK IS FROM TWO SIDES.

Thousands of Barrels of Oil Running Into Panuco River.

WASHINGTON, May 12.—The supreme effort of the Constitutionalists, the attempt to capture Tampico, began to-day, according to reports from Rear Admiral Mayo, commanding the American warships off that port.

Under cover of heavy artillery fire the attack began from two quarters, Gen. Caballero leading one wing of the attacking rebels. Details of the fighting are lacking.

Secretary of the Navy Daniels to-night sent Admiral Mayo a message requesting two reports a day on the progress of the battles at Tampico, possession of which is vital to both Huerta and Carranza.

The message telling of the beginning of hostilities was delayed on reaching the Department to-day, as it was relayed from Admiral Badier at Vera Cruz.

The chartered steamer Mexico was held by Admiral Mayo, he reported, until after the firing of heavy artillery commenced, when he ascertained from the commanders of foreign ships in the harbor that the steamer would not be needed to accommodate any other refugees. She was then despatched to Tuxpan with a number of Americans and other foreigners.

At Tuxpan the Mexico will pick up a number of other refugees from Pineapple Cay and will then sail for Vera Cruz. By Thursday, it is understood, the Mexico will be ready to sail for New Orleans.

A score of oil men from Tampico called upon the Secretary of State and War to-day to explain more fully the situation there and its dangers.

Twenty thousand barrels of oil each day are running into the Panuco River above Tampico, they declared, as blocking up the river with the Federal gunboats had cut off their only means of shipping the oil to tank steamers. The wells in the Panuco and Topila fields, Tampico, are both cut down to their minimum flow, but all storage tanks are filled at the former wells and the surplus oil cannot be prevented from running into the river.

The spokesman of the party, W. E. Lucas, informed the secretaries that it would be only a short time before the same situation existed at the Topila field and the quantity of oil running into the river would be increased by about ten thousand barrels a day. Neither cabinet member would discuss the plans for protecting and saving this property, most of which is owned by Americans and Englishmen.

The oil floating on the river is an invitation to the Constitutionalists to fire it, making almost certain the destruction of the Federal gunboats in the river, the entire waterfront and all shipping and perhaps menacing even the battleships lying off shore at the mouth of the river. The fire, it is feared, would spread to the wells themselves, totally destroying this vast source of wealth.

## TEXAS BARS PIERCE OIL AGAIN.

Attorney-General Holds Permit Would Violate Old Decree.

HOLSTERS, Tex., May 12.—The Attorney-General's opinion in the case of the Pierce Oil Corporation's application to do business in Texas is that to issue the permit would be a violation of that part of the decree of the court of June 1, 1907, in the case of the Waters-Pierce Oil Company, which reads "that the defendants be prohibited from doing business in the State of Texas, except interstate business."

It is understood that attorneys for the Pierce Oil Corporation will apply to the Texas Supreme Court within the next few days for a writ of mandamus to compel the Secretary of State to issue a permit.

## SOCIAL WORKERS ON CRUSADE ARRESTED

Miss Elizabeth Dutcher and a Columbia Student Charged With Blocking Traffic.

ARE MARCHED UP AVENUE

Trouble Follows an Attempt to Address Employees of Large Department Store.

Miss Elizabeth Dutcher, suffragist and social worker, and Paul Howard Douglas, a student in Columbia University, were arrested in Forty-third street near Sixth avenue last night after they had attempted to hold a meeting to improve the condition of the employees of a department store there.

Miss Dutcher, who is the daughter of George G. Dutcher, a lawyer, is a Vassar graduate and lives at 39 Pierrepont street, Brooklyn. She testified before the Senate committee investigating factory legislation in 1912 and was a candidate for Alderman on the Socialist ticket in 1911. The police version of the trouble is that Miss Dutcher and Douglas drove up to the employees' entrance to the store in an automobile just before 6 o'clock. With them were Miss Hildegarde Kneeland, Mrs. Frank Catherin, Mrs. Herbert N. Warbasse, wife of a lawyer, of 286 Washington avenue, Brooklyn; Mrs. James P. Warbasse, the wife of a member of the Municipal Civil Service Commission, of 384 Washington avenue, Brooklyn, and Miss Sarah Parks.

When the machine stopped Douglas, say the police, got up and began to speak to the girls coming out of the store. The street became jammed in a moment. Sergt. Smyth says he asked the party to move and Miss Dutcher, who was on the sidewalk, showed a permit from Police Commissioner Woods to hold street meetings.

Smyth held that the permit did not give them permission to block traffic and got two other policemen to help him make a lane on the sidewalk between the automobile and the building. In doing so, he says, he shoved against Miss Dutcher, who told him to be careful. After an argument he arrested her. Then Douglas jumped down and pushed Smyth and was arrested also.

They were taken to the police station, walking up Fifth avenue to Fifty-first street, and as the avenue was crowded their progress caused excitement. They were bailed out by Mrs. James Warbasse, who gave her home in Brooklyn as security.

Miss Dutcher at her home last night characterized the arrest as an outrage. She said that when the party reached the rear of the store the entrance was closed, and, supposing the management had told the employees to go out the front doors, the automobile with the others in the party drove around there while she was standing in Forty-third street. While she was standing there a sergeant told her to move on.

"When I refused he took me by the arm and jostled me to Sixth avenue," said Miss Dutcher. "I asked for his number and he arrested me. Just then the automobile came around the corner and when Mr. Douglas protested against my arrest he was arrested also. I shall seek redress after we are arraigned to-morrow morning."

Miss Parks, who lives at 270 West Fourth street, admitted last night that the street was jammed by the meeting, although she said the action of the police was inexcusable. She said the organization conducting these store investigations and meetings is the Union for Retail Clerks, of which Miss Mary Sanford is president. Miss Dutcher is treasurer. The organization has had trouble before at another large department store in Sixth avenue.

## TANGO TRAP SET FOR "VOTES."

Ten Prettiest Suffragists Will Dance to Win Men to Cause.

If husband comes home to-morrow night tired but happy and tells you that he has been to the baby show at the Grand Central Palace regard him with suspicion. It's ten to one that he has been dancing with one of those tangoing suffragists, who have sought this way to win pledges to their cause. By merely signing a little slip of paper handed to a mere man by a vision in yellow and white he will be entitled to dance with one of the ten prettiest suffragists in town. No signature no dance.

A dancing space has been cleared at the west end of the hall and heavy ropes have been strung to keep back the crush of willing signers. The dance will be the tango, some militant steps being merely incidental. There will be a band, and men will be tempted from 2 o'clock in the afternoon until closing time at night. By that time it is expected that a good part of New York's male dancing population will have signed. The ten prettiest suffragists will be picked by a committee of the Women's Political Union, and how they will manage to select only ten an outsider cannot even guess.

## NEW JERSEY MAYOR ARRESTED.

Political Opponent Says He Was Literally Kicked Out of Office.

HACKENSACK, N. J., May 12.—Mayor Herma of Little Ferry borough, far from a warrant had been issued by Justice John of Hackensack for his arrest on a charge of assault and battery, surrendered here to-day.

The complainant is Christian Ullmann, who says that when he called at Mayor Herma's office to have that official sign a check for work done on roads the Mayor kicked him into the street and blackened both his eyes.

The men are political opponents, Herma being a Republican and Ullmann a Democrat. Justice Johnson fixed bail at \$100, which Herma furnished.

## HER LIPS STAIN KAISER'S GLOVE.

But Pavlova Apologizes and Emphatically Says He Doesn't Care.

Special Cable Dispatch to THE SUN. BRATSK, May 12.—Anna Pavlova, the Russian dancer, was called to the royal box after the performance at Brunswick last Saturday night. She pleased the Kaiser very much by assuring him that his ban had killed the tango in America.

In kissing the Kaiser's hand Mme. Pavlova imprinted a kiss from her rouged lips on his white glove, leaving a red mark. The dancer became greatly agitated and alarmed when she saw what had happened, but the Kaiser assured her that it did not matter. Mme. Pavlova said afterward:

"I was never so frightened in my life. Such an offence would have had the most serious consequences in Russia."

## REST FOR BUSINESS URGED.

Republicans on Judiciary Committee Oppose Trust Bill.

WASHINGTON, May 12.—"Business should have a rest," said a report on the Administration trust bill filed with the House to-day by Representatives Danforth of New York, Graham of Pennsylvania and Dyer of Missouri, Republican members of the Committee on the Judiciary. The report says in part:

"The anti-trust laws on the statute books at this time have been carefully considered by the Supreme Court and judicially interpreted through a period of twenty-four years, and if properly enforced are believed by us to strip corporations and trusts of any power to injure or oppress."

"No possible good can come from constant interference with business. It is our belief that business should have a rest from further legislation and be given an opportunity to adjust itself to the environment created by existing anti-trust laws as the same have been interpreted and are now being administered."

"The proposed legislation contains many new phrases and sets up new standards, all of which would require a period of years for interpretation by the courts before their full meaning may be definitely known by the business world. It is very undesirable to bring about such a period of uncertainty and doubt to worry and harass the business of the country."

The report charges that the Administration bill is loosely drawn and that if passed would result in years of litigation.

## WEATHER TAKES A JUMP BACK INTO WINTERTIME

Storm Out of the Northwest Chases Vernal Season Away From Here.

The calendar went full speed astern for more than ten hours yesterday, backing out of the vernal season into March.

The wind was mostly from the north-east and east and in the evening the air was soaked with a wintry suggestive mist. The mercury, which had been at 59 at 1 o'clock in the afternoon, had dropped to 41 at 11 o'clock last night, and folks who had shifted to their summer underwear were wise when they hid it.

The cause of the sudden chilliness was a "low" that started out of the West on Monday from the neighborhood of Omaha, whirled swiftly across the country and was central last night near the national capital. It may cause ructions all along the coast as it roars in this direction.

Believing this may happen, the Weather Bureau sent out a storm warning last night, ordering "northeast" signals hoisted from Boston to Delaware Breakwater. Blasts of Force No. 2, meaning a strong gale of between forty-eight and fifty-six miles, may be expected to stir Atlantic waters hereabout this morning.

The Washington prophecy is for rain to-day and fair skies to-morrow, with slowly rising temperature.

## FLOOD CLOSES FORD FACTORY.

Water Puts Power House Out of Business With \$75,000 Loss.

DETROIT, May 12.—Flood from the continuous rain in the past two days caused a suspension of operations at the Ford Motor plant this noon.

It is expected that the factory will open again on Friday or Saturday. This will mean a loss in wages of \$200,000. The water has inundated the basement of the great power house, putting the 5,000-horse-power engine out of business and causing damage of \$75,000.

At the first signs of trouble the company began a fight. Five million gallons of water were pumped from the basement, but the water gained.

## MACADAMS TO FIGHT DUEL.

Opponent Is Art Critic Whom He Punched for Insulting Girl.

PARKS, May 12.—The defence by Edgar Macadam, the American sculptor, of a young woman alleged to have been insulted at a party in the Latin Quarter last week is likely to lead to a duel between Mr. Macadam and Waldemar Georges, art critic of the Journal.

Mr. Georges is said to have persisted in forcing his attentions on the young woman after he had been told that they were not wanted. She appealed to Mr. Macadam, who told the art critic to desist. He refused, whereupon the sculptor hit him on the jaw and knocked him to the floor, where he lay unconscious for a quarter of an hour. When he recovered he handed his cards to Mr. Macadam and later sent his second to the American.

Mr. Macadam chose as his second Arthur Grayson, member of Oscar Wilde and George Bernard Shaw's Virginia Water. He said to-day he would prefer to fight American fashion with his fists, but if Georges refuses he will select revolvers at five paces.

## SHAPIRO LINKS BECKER WITH FOUR GUNMEN

Tells Jury Dago Frank Exulted in Belief of Protection.

ROSE UNSHAKEN IN RETELLING PLOT

Again Says Becker Bargained for Murder of Graft Accuser.

ADDS TALE OF GRAFT TO HIS FORMER STORY

Asserts Accused Lieutenant Gained \$1,000 in Each of His Raids.

The reason of District Attorney Whitman's confidence that he will again convict Charles Becker of the murder of Herman Rosenthal has been made clear.

The jury heard yesterday from the chauffeur who drove the gunmen to the murder of Rosenthal and sped them from it what was denied to the jury in the first trial—the point blank testimony that the gunmen were shouting to each other that Becker had the police fixed and that everything was all right.

It was Shapiro driver of the gray car, a witness unsmirched from complicity in conspiracy or assassination, who delivered this sensational testimony at the defence and who furnished the first untainted corroboration, so urgently demanded by the Court of Appeals, of Rose's story linking Becker with the killers.

## Not Overshadowed by Rose.

Not even the reappearance of Rose himself, that singular being who might have been imagined by H. G. Wells, say, as a chance visitor from a planet whose inhabitants were hairless and dispensed with nerves, and his unfaltering repetition of why Becker wanted Rosenthal, "that dog," killed and how Becker arranged and paid for the killing, could minimize the importance of Shapiro's unshattered testimony, for Becker's lawyer couldn't shatter it.

That and Rose's fidelity to the damaging points of his former story and the impression that Rose was testifying not from a close study of his own previous testimony but from the memory of real happenings were the features of the case yesterday.

It is true that this mild-mannered family man who knew where men killers were to be had for pay or fear or favor amplified his former testimony here and condensed it, but he left out some things he had said before and that he added quite new incidents and conversations; that there were even striking points of difference, but in no high essential was there a contradiction or a variance.

## No Parrotlike Repetition.